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Role and achievements of the Office of the United Nations High Commissioner for Human Rights in assisting the Government and people of Cambodia in the promotion and protection of human rights

Report of the Secretary-General**

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** In accordance with General Assembly resolution 55/222, section III, paragraph 10, this report is being submitted on 31 July 2001 so as to include as much updated information as possible.

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I. Introduction

1. The Office of the United Nations High Commissioner for Human Rights in Cambodia (OHCHR/Cambodia) was established pursuant to Commission on Human Rights resolution 1993/6 of 19 February 1993, which entrusted the Office with carrying out the following activities:

(a) Manage the implementation of educational and technical assistance and advisory services programmes and ensure their continuation;

(b) Assist the Government of Cambodia established after the election, at its request, in meeting its obligations under the human rights instruments to which it had recently acceded, including the preparation of reports to the relevant monitoring committees;

(c) Provide support to bona fide human rights groups in Cambodia;

(d) Contribute to the creation and/or strengthening of national institutions for the promotion and protection of human rights;

(e) Continue to assist with the drafting and implementation of legislation to promote and protect human rights;

(f) Continue to assist with the training of persons responsible for the administration of justice.

OHCHR/Cambodia also assists the Special Representative of the Secretary-General for human rights in Cambodia in the discharge of his/her functions. In subsequent resolutions, the Commission on Human Rights and the General Assembly requested the Secretary-General, through his Special Representative for human rights in Cambodia, in collaboration with OHCHR/Cambodia, to assist the Government of Cambodia in ensuring the protection of the human rights of all people in Cambodia.

2. The present report contains information on the role and achievements of OHCHR from December 2000 to June 2001 in assisting the Government and people of Cambodia in the promotion and protection of human rights. It has been prepared pursuant to General Assembly resolution 55/95 of 4 December 2000.

3. In that resolution, the General Assembly noted with concern the continued problems related to the rule of law and the functioning of the judiciary, and urged the Government of Cambodia to take measures to develop an independent, impartial and effective judicial system, including through the early adoption of the draft statute on magistrates, a penal code and a code on criminal procedures, and the reform of the administration of justice; expressed grave concern about continued violations of human rights, including torture, extrajudicial killings, excessive pre-trial detention, violation of labour rights, including child labour, illegal confiscation of land and forced relocation, the apparent lack of protection from mob killings, the continued prevalence of impunity in Cambodia, as well as about prison conditions; called upon the Government to take further measures to investigate urgently and prosecute, in accordance with due process of law and international human rights standards, all those who had perpetrated violations of human rights; and urged an end to racial violence against and vilification of ethnic minorities, including the ethnic Vietnamese.

4. The General Assembly welcomed the draft governance action plan prepared by the Government and encouraged its early adoption and implementation; commended the Government's initial efforts with regard to the review and the stated commitment to the downsizing of the police and the military, and urged it to take further measures to carry out effective reform aimed towards professional and impartial police and military forces; welcomed the initial progress made under the five-year action plan by the Ministry of Women's and Veterans' Affairs, and urged the Government to continue to take appropriate measures to eliminate all forms of discrimination against women and to combat violence against women; and commended the efforts of the Government, OHCHR and civil society in the field of human rights education and training.

5. While welcoming the investigations into some cases of politically motivated violence, the General Assembly remained concerned at the continued reports of politically motivated violence and intimidation, and urged the Government to undertake further investigations and to take appropriate measures to prevent politically motivated violence and intimidation in the future; and also reaffirmed the importance of the upcoming communal elections being conducted in a free and fair manner.

6. In resolution 55/95 the General Assembly also welcomed the successful conclusion of the talks between the Government and the United Nations Secretariat on the question of the trial of Khmer Rouge leaders and appealed strongly to the Government to ensure, including by facilitating the expedited completion of the necessary legislative process as soon as possible, that those Khmer Rouge leaders were brought to account in accordance with international standards of justice, fairness and due process of law.

7. The General Assembly also called upon the Government to continue to take further measures to ensure adequate health conditions and the right of Cambodian children to education, while welcoming the Government's initiatives in those areas; welcomed the actions taken by the Government to combat illicit logging, expected those efforts to continue, and welcomed the progress made on the drafting of the new law on land.

II. Assistance to the Special Representative of the Secretary-General for human rights in Cambodia

8. During the period under review, OHCHR/Cambodia provided assistance to the Special Representative of the Secretary-General, Peter Leuprecht (Austria), in carrying out the mandate entrusted to him by the Commission on Human Rights in resolution 1993/6 and subsequent resolutions. His mandate comprises the following three main tasks: (a) to maintain contact with the Government and people of Cambodia; (b) to guide and coordinate the United Nations human rights presence in Cambodia; and (c) to assist the Government in the promotion and protection of human rights.

9. OHCHR/Cambodia regularly brought to the attention of the Special Representative of the Secretary-General matters of concern, including individual cases of allegation of human rights violations and followed up on issues raised by the Special Representative during his first visit (26 November-2 December 2000) and second visit (16-23 February 2001) to Cambodia. The Special Representative reported to the Commission on Human Rights at its fifty-seventh session on the findings of his first mission (see E/CN.4/2001/103).

10. The Special Representative of the Secretary-General carried out a third mission to Cambodia and Thailand (22-28 June 2001). Findings of the second and third visits to Cambodia are discussed in his report to the General Assembly at its fifty-sixth session (A/56/209).

III. Role of the Office of the United Nations High Commissioner for Human Rights in assisting the Government and people of Cambodia in the promotion and protection of human rights

A. Memorandum of Understanding between the Royal Government of Cambodia and the Office of the United Nations High Commissioner for Human Rights

11. The previous Memorandum of Understanding expired on 28 February 2000. As the General Assembly and the Commission on Human Rights were previously informed, the Government had verbally agreed to the extension of the Memorandum until March 2002 in order to enable the Office to continue its operations and programmes.

12. Negotiations between the Government and OHCHR for the formal renewal of the Memorandum of Understanding were initiated in August 1999. In its resolution 55/95, the General Assembly requested the Government of Cambodia and OHCHR to exchange the Memorandum for the extension of the mandate of the Office after March 2000, and encouraged the Government to continue to cooperate with the Office. The Commission on Human Rights, in resolution 2001/82, also requested the Government of Cambodia and OHCHR to sign the Memorandum without further delay and encouraged the Government of Cambodia to continue to cooperate with the Office.

13. During the reporting period, several meetings were held and correspondence was exchanged between the Special Representative of the Secretary-General and the Minister for Foreign Affairs and Cooperation, as well as between staff members of OHCHR/Cambodia and the Ministry to discuss the

Memorandum of Understanding with a view to finalizing the document.

14. At the time of writing of this report, negotiations between the two parties to the Memorandum of Understanding are still ongoing on one outstanding issue.

B. Programme priorities and strategy

15. Based on the mandate established in Commission on Human Rights resolution 1993/6, the ongoing assessment of human rights needs in the country, and the development priorities of the Government, OHCHR/Cambodia has developed a programme of activities for 2001 that includes the following objectives:

(a) Assisting the Government and people of Cambodia in the promotion and protection of human rights, as well as supporting the Special Representative of the Secretary-General in the implementation of his mandate to promote and protect human rights;

(b) Contributing to the establishment of a legal framework consistent with international human rights standards and the development of an efficient and participatory law-making process;

(c) Strengthening the justice delivery system to contribute to ensuring the rule of law and the promotion and protection of human rights;

(d) Strengthening the national capacity to secure the rule of law and fair and professional law enforcement, consistent with international human rights standards;

(e) Enhancing the capacity of the Government of Cambodia to meet its international human rights treaty reporting obligations, and advocating for ratification of additional international human rights instruments;

(f) Enhancing the capacity of Cambodian non-governmental organizations and civil society organizations to carry out human rights protection and promotion activities;

(g) Addressing human rights concerns in poverty-related issues, in particular by promoting equitable access to and management of land and other natural resources, adequate workers' conditions, and equitable access to basic services;

(h) Promoting an enabling environment for the conduct of free and fair elections at the commune level through the establishment of an adequate legal framework, the promotion of public awareness on the human rights aspects of elections, and the monitoring of the electoral process.

16. The programme strategy combines monitoring, capacity-building and technical assistance with a view to strengthening institutions and civil society as well as the legal framework. It entails activities directed at the three branches of the State, non-governmental organizations and civil society groups. The programme builds on the past contribution of OHCHR/Cambodia in the above areas and emphasizes the need to contribute to sustainability of what has been achieved so far and to respond to emerging challenges in strengthening the institutions that are in the process of being established.

C. Protection of human rights

17. During the reporting period, some 160 cases of alleged human rights violations were reported to OHCHR/Cambodia, either at the central office in Phnom Penh or at the provincial offices in Battambang, Banteay Meanchey, Kampot, Kompong Cham, Malai, Pailin, Prey Veng and Siem Reap. Protection activities were carried out at the national level by the central office with the support of provincial offices.

18. In accordance with the established policy of OHCHR/Cambodia, the Office's efforts focused mainly on the investigation of individual cases of alleged human rights violations representing a serious security threat to victims. Other cases that represent a larger problem in the country, such as land disputes, trafficking, sexual exploitation and violence against women were also given priority. A large number of cases brought to the attention of OHCHR/Cambodia were either jointly investigated and/or were referred to different human rights non-governmental organizations working on the investigation of general and/or specific human rights violations. In addition to local interventions, OHCHR/Cambodia also addressed 27 letters to the Government authorities requesting their direct intervention and investigation in connection with documented cases of human rights violations.

19. In view of the forthcoming commune elections in early February 2002, OHCHR/Cambodia has also

concentrated efforts in the investigation and documentation of incidents of violence and intimidation possibly related to the commune elections. A programme in this area has been prepared by the Office and will be initiated during the second half of 2001. This programme will include expert advice and additional human resources to monitor the elections process under the direct coordination of the Special Representative of the Secretary-General.

20. OHCHR/Cambodia continued to document alleged human rights violations, in particular in the area of mob-killings, police violence, torture and trafficking of persons.

B. Activities of OHCHR/Cambodia in the implementation of the technical cooperation programme

1. Assistance for the drafting and implementation of legislation to promote and protect human rights

21. OHCHR/Cambodia continued to provide assistance to the legislative, executive and judicial bodies as well as to non-governmental organizations involved in the law-making process by providing legal advice and training. The aim of this activity is to promote a participatory law-making process, improve the technical quality of draft laws and ensure that adopted laws are in accordance with international human rights standards.

22. During the reporting period, OHCHR/Cambodia provided advice to the Government on a number of legislative initiatives, including the draft penal code, forestry law, domestic violence law, arms law, law on non-governmental organizations, law on election of commune councils, National Election Commission regulations and the amendment of prison regulations.

23. OHCHR/Cambodia is facilitating and participating in working groups of non-governmental organizations to promote the participation of the civil society in the law-making process. The Office is currently organizing weekly meetings with the non-governmental organizations to review the draft penal code. Input from legal experts and concerned United Nations agencies is sought and made available to the working committee on the draft penal code at the Ministry of Justice.

24. Twenty-seven persons from the National Assembly, the Senate, the Constitutional Council, the Supreme Council of the Magistracy, the Council of Ministers and various ministries and non-governmental organizations participated in a 15-week training course on legislative drafting. A new training course on legislative drafting started in June 2001. It is attended by 30 participants, mainly members of the Senate and the National Assembly, senior government officials, and members of civil society. An advanced level training course on legislative drafting is scheduled to start in July 2001.

25. In order to make essential laws and regulations available to the courts, the Government and non-governmental organizations, OHCHR/Cambodia is working on producing a third compilation of laws in force in Cambodia. Since no formal and regular system for publication of laws exists in Cambodia, the compilation is a very useful tool for courts, police and Ministries, especially at the provincial level where access to information is more difficult.

26. OHCHR/Cambodia has actively participated in donor and Government discussions on the need for legal and judicial reform. Discussions were held with representatives of the international community in Cambodia with a view to advising them on appropriate assistance schemes on legislative and judicial issues.

2. Creation of national institutions and strengthening other government bodies for the promotion and protection of human rights

27. OHCHR/Cambodia works closely with, and provides assistance to, a number of national institutions with human rights responsibilities. These institutions include the Commissions on Human Rights and Reception of Complaints and the Legislative Commissions of the National Assembly and the Senate, the Supreme Council of the Magistracy, the Courts, the Office of the Prosecutor General, the Inter-Ministerial Committee on the Preparation of Human Rights Reports to the United Nations, the Governmental Cambodian Human Rights Committee, the Land Disputes Settlement Commission, the Cambodian National Police, the Royal Cambodian Armed Forces, the Royal Gendarmerie, the Prison Department, the Ministry of Justice, the Ministry of Women's and Veterans' Affairs, and non-governmental organizations.

28. OHCHR/Cambodia supported the organization of the Human Rights Day celebration by the Governmental Cambodian Human Rights Committee, and the Committee's presence at the fifty-seventh session of the Commission on Human Rights in connection with the Commission's review of the situation of human rights in Cambodia. Other specific activities carried out in cooperation with or to assist the above institutions are outlined in various sections of this report.

29. In May 2001, the Cambodia Working Group on the Establishment of Regional and National Human Rights Mechanisms, composed of a number of non-governmental organizations, members of the Senate and the National Assembly, and government officials, organized a workshop on prospects for the establishment of an independent national human rights institution in Cambodia. OHCHR/Cambodia provided reference materials to the Working Group, including the Paris Principles and a compilation of laws from various countries establishing similar institutions. The Special Adviser to the High Commissioner on National Institutions participated in the workshop as a resource person.

3. Capacity-building and training for government officials in the administration of justice

30. OHCHR/Cambodia continued its activities aimed at enhancing the capacity of governmental institutions to promote and protect human rights through increased understanding and application of human rights standards.

(a) Royal Cambodian Armed Forces (RCAF) and Royal Gendarmerie

31. Since 1995, some 40 RCAF officers who were trained by OHCHR/Cambodia have been conducting human rights training sessions, with the assistance of OHCHR/Cambodia, for RCAF members throughout the country. Based on the schedule for RCAF Human Rights and Law Training issued by the Ministry of Defence, the RCAF trainers conducted 43 training courses from December 2000 to April 2001 in 15 Cambodian provinces and municipalities. Some 1,250 RCAF members were trained in this period.

32. In order to achieve the sustainability of human rights education for RCAF, the new approach is the integration of human rights training into the curricula of military schools. Therefore, the RCAF training programme on human rights law was terminated in April 2001. OHCHR/Cambodia and the RCAF Training Department started focusing on the integration of human rights teaching in the military schools. A national workshop is planned for July 2001 to take stock of the training conducted by RCAF since 1995 in cooperation with OHCHR/Cambodia, review the training materials and gather the RCAF trainer's input on future plans.

33. A one-week training course for about 40 Royal Gendarmerie Commanders and Deputy Commanders from Cambodian provinces and municipalities was held in December 2000. At the request of the Royal Gendarmerie's Training Department, OHCHR/Cambodia conducted for Royal Gendarmerie officers several sessions on human rights and law in the context of general training programmes.

(b) Cambodian National Police

34. During the period under review, extensive training continued to be conducted throughout Cambodia based on the schedule issued by the Ministry of the Interior for the Police Human Rights and Law Training Programme. During the period from December 2000 to May 2001, OHCHR-trained police instructors trained some 2,260 police officials using the curriculum developed by OHCHR/Cambodia. A total of 59 training courses were conducted in 16 Cambodian provinces and municipalities. OHCHR/Cambodia assisted the instructors in delivering the courses.

35. OHCHR/Cambodia participated in a review session of police training activities organized by the Ministry of the Interior, involving police officials from all Cambodian provinces and those who provided assistance. The Ministry noted that in 2000 over 9,000 police officers received general training and over 4,000 received human rights and law training by OHCHR/Cambodia-trained police human rights instructors. Human rights reference and training materials were delivered to the Phnom Penh and Kandal police training schools.

36. Implementation of the inter-agency project "Law Enforcement against Sexual Exploitation of Children", of which OHCHR/Cambodia is a member together with the United Nations Children's Fund (UNICEF), the International Organization for Migration (IOM), Rädda

Barnen, World Vision and the Ministry of the Interior, continued. The overall goal of the project is to improve the capacity of the police, investigating judges and prosecutors to investigate cases of sexual exploitation and trafficking of children, including rescue of victims, development of referral systems, arrest of offenders and initiation of court proceedings. The main components of the project are the development of police operating procedures in the investigation of cases of sexual exploitation against children, the development of training materials and the basic training of senior police officers, and the establishment and in-depth training of a specialized investigation team.

37. During the reporting period, the Manual on "Understanding and Investigating Child Sexual Exploitation" and the Trainer's Guide on the same topic were finalized. Also completed were the two training videos on modules of correct and incorrect police action in the investigation of cases of child sexual exploitation, and a sensitization film on the problem of child sexual exploitation in a Cambodian context, and police action thereon. Police trainers who were trained during 2000 started conducting training and sensitization workshops for police commissioners and deputy commissioners in Cambodian provinces and municipalities on the issue of child sexual exploitation, based on the above materials. Six one-week workshops for judicial police in six provinces were completed, and two national seminars were held in Phnom Penh. The investigation team established and trained under the project continued to investigate cases of sexual abuse against children and rescued several children victims of sexual abuse.

(c) Codes of conduct

38. A working group composed of representatives of the Royal Cambodian Armed Forces, the Royal Gendarmerie, the Cambodian National Police, the Senate Human Rights Commission, the local non-governmental organization — the Cambodian Institute of Human Rights, the United Nations Educational, Scientific and Cultural Organization (UNESCO), OHCHR/Cambodia and the European Union finalized draft codes of conduct for RCAF, the Royal Gendarmerie and the Cambodian National Police and submitted them to the Government for approval.

4. Implementation of education and technical assistance and advisory services programmes

(a) Education for government officials and general population

University education

39. In January 2001, OHCHR/Cambodia started a project to assist the Faculty of Law and Economic Sciences of the University of Phnom Penh in the establishment of a Human Rights Chair and a Human Rights Section at the Library. The project consists of the expansion of the current basic course on human rights and broader integration of human rights teaching into the Faculty's curriculum, the development of a curriculum, the acquisition of basic documents for research and reference, and the strengthening of the capacity of the Faculty staff to teach human rights. OHCHR/Cambodia assisted in sending a Cambodian professor to attend the thirty-second Study Session of the International Institute of Human Rights in Strasbourg in July 2001. OHCHR/Cambodia started reviewing the documentation available at the Library, and identifying reference materials on international human rights law that will need to be purchased under the project. A Steering Committee comprising OHCHR/Cambodia, UNESCO, the Ministry of Education and Faculty members was established to advise on project implementation.

Environmental rights

40. With continued assistance from OHCHR/Cambodia, officials of the Ministry of Environment conducted three one-day anti-logging workshops in the municipality of Kep and in Kampot Province. Participants included personnel of the National Police, the Royal Cambodian Armed Forces and the Royal Gendarmerie. The workshops stressed the need for those institutions to cooperate in order to prohibit logging in designated national parks and protection areas.

Trafficking

41. During the reporting period, training sessions on the legal aspects of trafficking of human beings and sexual exploitation for high school students, village-level authorities, teacher trainees, villagers and karaoke bar owners were conducted by provincial offices of OHCHR/Cambodia.

42. OHCHR/Cambodia is a member of the Cambodian National Project Committee against Trafficking of Women and Children in the Mekong Sub-Region. Other members of the Committee are representatives of a number of Ministries, two non-governmental organizations, UNICEF, the United Nations Development Programme and IOM. The Committee is chaired by the Minister of Women's and Veterans' Affairs. It holds monthly meetings to review progress in the implementation of the project and discuss issues of relevance to the prevention of trafficking and the protection of trafficking victims.

43. Together with UNICEF, UNDP, the Ministry of Women's and Veterans' Affairs and a non-governmental organization, OHCHR/Cambodia is also a member of the Core Committee of the project. The Core Committee started meeting in January 2001. It developed criteria for the screening of project proposals by Government agencies and non-governmental organizations for funding under the project, and reviewed and selected nine proposals that were subsequently endorsed by the National Project Committee.

Information

44. Posters produced by OHCHR/Cambodia on minorities, human immunodeficiency virus/acquired immunodeficiency syndrome (HIV/AIDS) and human rights, mob killings and trafficking were distributed to military and police trainers, non-governmental organizations, schools, markets, police stations, hospitals, prisons and courthouses. Human rights publications, laws, and information materials are regularly distributed to the general public, non-governmental organizations and government officials.

45. Human Rights Day celebrations were organized at the provincial level by several OHCHR/Cambodia provincial offices in collaboration with non-governmental organizations, local government officials and the public.

(b) Assistance to the judiciary

46. OHCHR/Cambodia implements a Judicial Mentor Programme that provides practical assistance to the judicial system in Cambodia. The programme started in 1995 and has covered 15 courts in Cambodia. At the time of the writing of this report, offices of the Programme operate in the following six courts: Kompong Cham Provincial Court, Supreme Court, Phnom Penh Municipal Court, Battambang Provincial Court, Svay Rieng Provincial Court and Prey Veng Provincial Court.

47. Judicial mentors, international lawyers recruited as consultants, provide daily advice and training to the court staff on administrative and legal issues focusing on the implementation of international human rights standards in their work. Other specific activities include trial monitoring so as to enable judicial mentors to accurately assess and advise court staff in their work. The judicial mentors also consult with and assist in the training of other actors, including police and prison officials.

48. The experience of the judicial mentors is also being used to help the Government in drafting new laws. This experience is used to develop the draft penal code, the draft forestry law and the draft domestic violence law. A judicial mentor is involved in the drafting of these new laws.

49. Recently a judicial mentor has been seconded to the Supreme Court and will concentrate on issues specifically concerning the role of the Supreme Court. The judicial mentors in the Supreme Court and the Court of Appeal are being advised of the experiences of the judicial mentors in the provincial courts. This enables them to address in a more effective manner issues affecting the delivery of judicial services.

50. Judicial mentors provide assistance to actors in the legal system by holding monthly meetings during which the actors try to identify problems that exist in the legal system and find solutions to these problems.

51. The Judicial Mentor Programme also provides information to OHCHR/Cambodia on the existing problems in the judiciary. The Office communicates the information to the authorities responsible for the administration of justice.

52. A number of workshops to strengthen the administration of the courts and thus provide a more effective and accessible court system were conducted with provincial courts with a focus on the court clerks. Those workshops were conducted with the assistance of the British Embassy. Workshops were held in Kompong Cham, Sihanoukville, Battambang and Ratanakiri. Those workshops brought together representatives of all courts within a particular region

and enabled court staff to meet informally and discuss issues affecting the efficient functioning of their courts.

53. The judicial mentors participated as resource persons in training courses for court clerks organized by the Ministry of Justice as part of the staff development programmes. A judicial mentor lectured on the applicability of human rights conventions to the laws of Cambodia as well as dealing with juveniles in the justice system.

54. The Judicial Mentor Programme maintains a close working relationship with the Ministry of Justice. Judicial mentors bring to the attention of the Ministry of Justice problems in the administration of justice, particularly at the provincial level, and formulate recommendations as appropriate.

55. Judicial mentors hold quarterly meetings with the Cambodian Bar Association and legal aid non-governmental organizations to share experience, make recommendations and raise issues of concern regarding the functioning of the legal profession.

56. OHCHR/Cambodia, in cooperation with the Ministry of Justice, organized quarterly workshops for prosecutors to review the activities of the prosecution department and the difficulties encountered.

5. Human rights reporting obligations and implementation of recommendations made by treaty monitoring bodies

57. Cambodia is party to the six main international human rights instruments and has submitted initial reports under the International Covenant on Civil and Political Rights, the International Convention on the Elimination of All Forms of Racial Discrimination and the Convention on the Rights of the Child.

58. OHCHR/Cambodia assists the Inter-Ministerial Committee on the Preparation of Human Rights Reports to the United Nations (IMC) in the preparation of reports to be submitted in accordance with the Government's obligations under the various international human rights instruments. During the reporting period, OHCHR/Cambodia continued to provide assistance to IMC to prepare the Government's report on the Convention on the Elimination of All Forms of Discrimination against Women. It provided advice on the interpretation of the Convention's provisions, on the guidelines for the preparation of Government reports issued by the Committee on the Elimination of Discrimination against Women, as well as assistance with research on the implementation of Government obligations on specific areas covered by the Convention.

59. At the time of writing this report, the draft report of the Government on the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, which was finalized by IMC in early 2000, is being reviewed by the Council of Ministers.

60. As part of efforts to pay more attention to the Government's implementation of recommendations by the treaty bodies, the Cambodian National Council for Children (CNCC), with the assistance of OHCHR/Cambodia and UNICEF, organized in January 2001 a National Workshop on the Royal Government's Follow-up to the Concluding Observations of the United Nations Committee on the Rights of the Child. The Workshop aimed at mobilizing the Government's attention on action to be taken to implement recommendations of the Committee on the Rights of the Child. Participants included officials from the various Ministries, members of CNCC, representatives of the judiciary, the police and non-governmental organizations. Recommendations were formulated through group discussion for Government action in the areas of coordination and monitoring, legislative reform, family and alternative care, health, education and leisure, child trafficking and exploitation, information and cultural activities. OHCHR/Cambodia will continue to provide assistance to CNCC and other relevant Government institutions on the implementation of the recommendations formulated by the Committee on the Rights of the Child.

61. OHCHR/Cambodia has started planning with the Government on the preparation of the report on the implementation of the provisions of the International Covenant on Economic, Social and Cultural Rights. It has also started discussing providing assistance to non-governmental organizations in the preparation of their report on the implementation of those provisions.

6. Support to and coordination with non-governmental human rights groups in Cambodia

62. With a view to enhancing the capacity of Cambodian non-governmental organizations and other civil society organizations to carry out activities in the field of promotion and protection of human rights,

OHCHR/Cambodia provides training, legal advice, other forms of technical assistance and financial support to them. In addition, non-governmental organizations are key partners in the implementation of the OHCHR/Cambodia programme, including in the areas of monitoring, investigation and protection, law reform, education, training, information and advocacy.

(a) Education

63. During the reporting period, OHCHR/Cambodia provided assistance to a newly established education non-governmental organization working group on human rights training contents and methodology. The working group has drafted a human rights training curriculum for the general population focusing on human rights and remedial action for violations, and is developing one for civil servants.

64. OHCHR/Cambodia started an Environmental Rights Advocacy Training Programme in cooperation with the NGO Forum in Cambodia. Reference materials were prepared, and a train-the-trainers course for staff from 20 Cambodian environmental non-governmental organizations operating in 10 provinces was conducted in December 2000. Between January and April 2001, the trained trainers conducted education sessions at the district and commune level for farmers, fishermen, monks, non-formal education teachers, representatives of Village Development Committees, and other interested community representatives, with the assistance of OHCHR/Cambodia. In May 2001, an assessment mission of the first phase of the Programme was conducted to assess the extent to which the Programme's approach, methodology and materials reflected the desired programme focus on advocacy and community mobilization. As a follow-up to the assessment, a workshop for community educators on environmental rights was planned for June 2001.

65. Monthly training sessions were conducted for women in difficult circumstances as part of a vocational training programme run by a social organization. Issues covered during the sessions included domestic violence, trafficking and exploitation issues, as well as non-discrimination in the social sphere, including education. OHCHR/Cambodia also participated in a training workshop on economic, social and cultural rights for non-governmental organizations to discuss non-governmental organization alternative reporting to the Committee on Economic, Social and Cultural Rights as a possible strategy to advance such rights.

66. As a follow-up to the workshop for OHCHR/Cambodia staff on HIV/AIDS and Human Rights, carried out at the end of 2000, OHCHR/Cambodia started assessing options for the implementation of education and other activities on human rights aspects of HIV/AIDS at the provincial level, preferably by linking up to initiatives undertaken by the AIDS National Authority, the Ministry of Health, clinics or non-governmental organizations. In May 2001, OHCHR/Cambodia participated in a workshop on HIV/AIDS and Human Rights organized by the Asia Pacific Council of AIDS Service Organizations (APCASO) for staff of non-governmental organizations working in both fields. Participants drafted three plans of action to tackle discrimination faced by people living with HIV/AIDS in the family and community, in the health care sector and in employment. A network was established in the form of an HIV/AIDS and Human Rights Advisory Group consisting of most of the non-governmental organization participants in the workshop and OHCHR/Cambodia.

67. Information on human rights education programmes and materials prepared by several Cambodian non-governmental organizations was collected and transmitted to OHCHR/Geneva for inclusion in the database established under the United Nations Decade for Human Rights Education project.

(b) Support to non-governmental organization projects

68. OHCHR/Cambodia continued to monitor the implementation of 14 human rights projects by Cambodian non-governmental organizations, which are funded under the United Nations Trust Fund for a Human Rights Education Programme in Cambodia. The provincial offices of OHCHR/Cambodia are being increasingly involved in the monitoring activities conducted at the provincial level. At the time of writing this report, 10 projects have been completed in the areas of:

(a) Implementation of a prisoners' literacy programme;

(b) Human rights education for police and prison officials on the human rights of women;

(c) Training on HIV/AIDS and human rights for medical workers;

(d) Strengthening of the human rights information management capacity of local non-governmental organizations;

(e) Investigation of human rights violations;

(f) Protection of and education for ethnic minorities.

69. Four projects in the areas of assistance in the establishment of a sex workers' collective; provision of legal aid to juvenile offenders and victims of crime; production of Khmer theatre pieces on human rights; and investigation of human rights violations and assistance to victims, are still ongoing. OHCHR/Cambodia monitors and provides assistance in the implementation of projects through field visits, observation of training activities, and regular review meetings.

70. Five new grants under the global Assisting Communities Together Project were provided to five Cambodian human rights non-governmental organizations for projects in the fields of training on labour and human rights law for garment factory workers; training on human rights, democracy and free and fair elections for general population and monks at the commune level in five provinces; and training on trafficking of human beings for women in remote areas. All the projects were completed in May 2001. Most projects were carried out in remote areas. OHCHR/Cambodia monitored and assisted with their implementation through field visits and joint evaluation sessions.

(c) Networking

71. OHCHR/Cambodia continued to participate in meetings of the Cambodian Human Rights Action Committee, a coalition of 17 non-governmental organizations that meets regularly and takes coordinated action on human rights issues. It also continued to provide assistance to the provincial branches of the Human Rights Action Committee to strengthen their monitoring and protection work.

72. OHCHR/Cambodia continued to facilitate meetings of the Human Rights Video Production Committee, composed of 12 non-governmental organizations, and assisted it in the preparation of proposals for the production of new videos on human rights issues.

73. OHCHR/Cambodia supported the participation of two human rights non-governmental organizations in the preparatory Asian NGO Networking Meeting in Nepal in April 2001 in order to encourage the involvement of Cambodian non-governmental organizations in the World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance. It is also providing assistance in the organization of national activities in support of the objectives of the Conference.

(d) Cooperation on monitoring

74. OHCHR/Cambodia also continued its close cooperation with and assistance to several non-governmental organizations on protection matters. Joint activities and/or coordinated intervention actions were initiated in respect of specific incidents under investigation by the NGO Human Rights Action Committee, in particular by its Sub-action Committee on Investigation and it's Sub-action Committee on Trafficking and Sexual Exploitation. The Office also cooperated on protection activities with other individual non-governmental organizations working on issues regarding women and children victims of violence, trafficking and sexual exploitation; orphan children; illegal immigrants; persons living with HIV/AIDS; land disputes; labour issues, ethnic Vietnamese in Cambodia and asylum-seekers.

75. Consultations also continued with the Prison Health Sectoral Group, a group of non-governmental organizations providing assistance to prisoners, in particular to facilitate medical assistance to prisoners living with HIV/AIDS and prisoners being treated outside the prisons, and to supply medicines to prisoners.

(e) Cooperation on legal issues

76. Facilitating legal assistance to victims of human rights violations was possible in many cases thanks to the free legal assistance offered by some local non-governmental organizations, in particular by Legal Aid of Cambodia (LAC), the Cambodia Defence Project (CDP), the Cambodian Bar Association (CBA) and the Cambodian Women's Crisis Centre (CWCC). Victims of rearrests, forced and arbitrary evictions, land disputes, trafficking, excessive pre-trial detention and

violence against women and persons in detention unable to afford private legal services, and others, benefited from these services.

E. Preparations for the commune elections

77. Since the announcement of the date for the holding of the commune elections, scheduled for early February 2002, OHCHR/Cambodia has been carrying out a number of activities to contribute to national preparations for the elections. As mentioned above, OHCHR/Cambodia has been providing advice on the development of a legal framework consistent with international standards, including the law on election of commune councils and the National Election Commission's regulations. It has been investigating allegations of possible commune elections-related cases of violence and intimidation against members of political parties, mainly of the opposition. OHCHR/Cambodia is also part of local coordination mechanisms established among organizations active on or interested in preparations for the elections. A strategy for the role of OHCHR/Cambodia, including in support of the mandate of the Special Representative of the Secretary-General, has been developed, which includes monitoring, legal assistance, capacity-building and education activities.

F. Cooperation and coordination with the United Nations system and donors

78. OHCHR/Cambodia participates in a number of United Nations and donor coordinating mechanisms on human rights and rule of law issues. It regularly participates in the United Nations Theme Group on HIV/AIDS and the United Nations Technical Working Group on HIV/AIDS. In this context, OHCHR/Cambodia contributed to the development of the United Nations Common Strategy 2001-2005, outlining the United Nations work in support of the national response to the HIV/AIDS epidemic in Cambodia, of discussions on the National Strategic Plan by the Cambodian National AIDS Authority, and of advocacy initiatives undertaken by the United Nations Theme Group to promote the human rights of people living with HIV/AIDS in Cambodia. A United Nations country team workshop on the implementation of the United Nations Common Strategy was planned for June 2001.

79. OHCHR/Cambodia also participates in the bi-monthly meetings of the Inter-Agency Working Group on Commercial Sexual Exploitation and Trafficking of Women and Children in Cambodia. The Working Group brings together United Nations and international agencies, non-governmental organizations and bilateral donors implementing programmes in this area, with the main purpose of exchanging information to facilitate coordination. Participants in the meetings include IOM, UNICEF, the International Labour Organization-International Programme on the Elimination of Child Labour (ILO-IPEC), the Cambodian National Project in the Mekong Sub-Region, the Australian Agency for International Development (AusAID), and several international non-governmental organizations.

80. OHCHCR/Cambodia attends the meetings of the Donor Working Group on Good Governance, as well as other meetings on governance, judicial and legal reform issues convened by the World Bank in the framework of the Consultative Group on Cambodia.

G. OHCHR/Cambodia staff, and the financial situation of the United Nations Trust Fund for a Human Rights Education Programme in Cambodia

81. OHCHR/Cambodia is composed of one main office located in Phnom Penh, eight provincial offices and six judicial mentors' offices. The structure of OHCHR/Cambodia includes the Chief's office, the Legal Assistance Unit, the Education, Training and Information Unit, the Monitoring and Protection Unit, the Administration Unit, the Provincial Office Network and the Judicial Mentor Programme. OHCHR/Cambodia staff includes 45 local and 19 international professionals.

82. The provincial offices are located in: Battambang, Banteay Meanchey, Kompot, Kompong Cham, Prey Veng, Siem Reap, Malai and Pailin. The network currently comprises 3 international human rights officers (3 United Nations Volunteers) and 14 national human rights assistants.

83. The Judicial Mentor Programme is located in the following six courts: Kompong Cham Provincial Court, Supreme Court, Phnom Penh Municipal Court, Battambang Provincial Court, Svay Rieng Provincial Court and Prey Veng Provincial Court. The Programme comprises six professionals and six assistants.